



Consultation on the proposed revision of the fees in the Appendix to the Judicial Committee (Appellate Jurisdiction) Rules 2024

22 June 2026

This consultation begins on 22 June 2026

This consultation ends on 22 September 2026

A consultation produced by the Judicial Committee of the Privy Council. It is also available at <https://www.jcpc.uk/appeal-process/jcpc-fees-consultation>

About this consultation

To: This document has been provided to practitioners, members of the judiciary, court staff, law societies and bar associations, and Ministries of Justice. The recipients of this document were found after extensive research, which revealed at least one contact for most of the jurisdictions the JCPC serves and, for a number jurisdictions, many more. This document has also been provided to the Privy Council Office, Cabinet Office, the Hereditary Peers Association, Standing Council of the Baronetage, and lawyers for the Church of England Commissioner and Royal College of Veterinary Surgeons.

However, this list is not meant to be exhaustive or exclusive and responses are welcomed from anyone with an interest in or views on the subject covered by this paper.

Duration: From 22 June 2026 to 22 September 2026

Enquiries (including requests for the paper in an alternative format) to: Registrar UKSC and JCPC
Email: jcpcfesconsultation@jcpc.uk

How to respond: Please send your response by 22 September to:
Email: jcpcfesconsultation@jcpc.uk

<p>Additional ways to provide feedback:</p>	<p>A series of stakeholder meetings are also taking place, via Teams, at times we hope will suit the times zones in the jurisdictions served by the JCPC. Please contact john.wynne@supremecourt.uk and jpcfeesconsultation@jcpc.uk if you wish to be sent the Teams link to join one of these meetings.</p>
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Date	Time BST	Intended attendees
8 July	0800-0900	Judiciary: BIOT, Brunei, Kirabati, Tuvalu, British Antarctic Territory
13 July	0800-0900	Court users: BIOT, Brunei, Kirabati, Tuvalu, British Antarctic Territory
7 July	1900-2000	Judiciary: Cook Islands, Pitcairn Islands, Cayman Islands, Jamaica, Bahamas, Turks and Caicos, Anguilla, Antigua and Barbuda, British Virgin Islands, Grenada, Montserrat, Saint Christopher and Nevis, Saint Vincent and the Grenadines, Trinidad and Tobago, Bermuda, Eastern Caribbean Supreme Court
8 July	1900-2000	Court users: Cook Islands, Pitcairn Islands, Cayman Islands, Jamaica, Bahamas, Turks and Caicos, Anguilla, Antigua and Barbuda, British Virgin Islands, Grenada, Montserrat, Saint Christopher and Nevis, Saint Vincent and the Grenadines, Trinidad and Tobago, Bermuda

13 July	1200-1300	Judiciary: Falkland Islands, South Georgia and Sandwich Islands, Saint Helena, Ascension and Tristan da Cunha, Guernsey, Isle of Man, Jersey, Gibraltar, Akrotiri and Dhekelia, Mauritius and UK based
16 July	1200-1300	Court users: Falkland Islands, South Georgia and Sandwich Islands, Saint Helena, Ascension and Tristan da Cunha, Guernsey, Isle of Man, Jersey, Gibraltar, Akrotiri and Dhekelia, Mauritius and UK based court users , including Royal College of Veterinary Surgeons, Church of England Commissioners, Privy Council, Cabinet Office, Hereditary Peers, Baronetcy

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Introduction

This paper sets out for consultation the proposed revision of the fees in the Appendix to the Judicial Committee (Appellate Jurisdiction) Rules 2024.

The Judicial Committee of the Privy Council (“JCPC”) is the final court of appeal for the British Overseas Territories, Crown Dependencies, as well as Commonwealth countries which have retained procedures for appeal to His Majesty in Council, or in the case of the Republics, to the Judicial Committee. The JCPC also has jurisdiction in some Church of England, regulatory and maritime areas. His Majesty the King may also make a reference to the Court to determine a legal question.

The fees for bringing an appeal to the JCPC have remained the same since 2013. According to figures from the Bank of England inflation calculator (<https://www.bankofengland.co.uk/monetary-policy/inflation/inflation-calculator>) from 2013 to November 2025 inflation in the UK (where the JCPC is based) is calculated at 41.5%. The calculator uses Consumer Price Index (“CPI”) inflation data from the Office for National Statistics. The inflation figures mean that, for example, the lowest fee for filing an application for permission to appeal, £150, is worth £62.18 less to the Court and leaves the Court with a funding shortfall that has increased over time.

Fees in the JCPC’s sister court, the UK Supreme Court (“UKSC”), were last increased in April 2026 by 5.9% and before that in April 2024 by 40% to account for historical changes in inflation from April 2011 to March 2023, and March 2023 to March 2025 respectively. In 2023 the Ministry of Justice for England and Wales consulted on UKSC fees increases and it was agreed that the fees for the Supreme Court would be increased in 2024 to reflect inflation up to April 2024, and from then increased bi-annually to account for ongoing inflation.

Overall, fees represent a relatively small percentage of both courts’ total income, with the majority coming from contributions from HM Treasury, His Majesty’s Courts & Tribunals Service (“HMCTS”), the Scottish Government, and the Northern Ireland Courts & Tribunals Service (“NICTS”). The fee increases are intended to ensure that the courts remain adequately resourced through contributions from both litigants and the UK taxpayer. None of the JCPC jurisdictions makes a financial contribution to the costs of running the JCPC.

Since late 2024 the service offered by the JCPC to its users has been modernised and improved with the introduction of the case management portal, designed to deliver an accessible and digital end-to-end service to all JCPC users. The portal makes the submission and management of a case more intuitive, efficient and modern, enhancing access to justice for users. Accessible through the newly designed JCPC website, the portal takes the form of a two-way online site, including features such as a case tracker, electronic service, correspondence and e-payment functionality.

This allows for filing of appeals and payment of fees online 24 hours a day. This particularly assists those jurisdictions in different time zones to the UK. Payments can be made online via the portal outside of UK office hours.

The portal was designed to be easy to use. There is extensive guidance on how to use the portal on the JCPC website, including detailed 'how to' guides and videos. Although we have moved to digital working, we continue to offer personalised assistance to those who need help with the portal. Where litigants in person are unable to access the internet, the process is managed offline for them via the Registry. Wherever possible, if permission to appeal is granted to a litigant in person, we assist in seeking pro bono representation.

In addition to the modernised portal, the JCPC also now offers online hearings in all cases outside the British Isles enabling parties and their legal representatives to access the JCPC much more cheaply than in the past, when it was necessary to travel to London.

In light of the length of time since fees were last increased, and the consequential reduction in real value of fees, it is time to increase JCPC fees. Whilst the improvement to the service we provide to our users is not the reason for proposing an increase to the fees charged, it allows us to provide reassurance to our users that the service they receive will continue to represent value for money and that we are responsive to the needs of the many jurisdictions we serve.

This paper sets out for consultation the proposed revision of the fee schedule in the Appendix to the Judicial Committee (Appellate Jurisdiction) Rules 2024

A series of stakeholder meetings is also taking place, via Teams, at times that we hope will suit the time zones across the jurisdictions served by the JCPC. These are set out on pages 4 and 5 above.

Please contact john.wynne@supremecourt.uk and jcpcfeesconsultation@jcpc.uk if you wish to attend one of these meetings.

The current fees and fee structure

The current fee structure for the JCPC services can be found in the Appendix to the Judicial Committee (Appellate Jurisdiction) Rules 2024 and is extracted below.

JCPC fees are divided into bands depending on the value of the appeal. However, it is worth noting that the fee bands only apply to the fees at 1 and 4 (i.e., filing an application for permission to appeal (“PTA”) or a notice of appeal, and filing a written case). In the JCPC both the appellant and the respondent pay for filing a written case. Finally, the fee for costs claims is 2.5% of the sum claimed and then 2.5% of the sum later allowed.

These fee bands were first introduced in 2013 and were based on a review in 2011 of the previous two years’ reported cases and an estimate of their value. Criminal cases attract no fee, except if a claim for costs is made.

Before 2013, in 2009 the JCPC fees were revised, with the rules, to reflect the move to Parliament Square and the combination of the JCPC Court with the UKSC. The new structure in 2013 retained some of the 2009 fees at the lowest band so the fee for filing an application for permission to appeal in a case that is of low value has, in effect, remained the same since 2009.

Fees only represent a relatively small percentage of the Court’s total income, with the majority coming from contributions from HM Treasury, HMCTS, the Scottish Government, and the NICTS. The total operational costs of the UKSC and JCPC were £15.4m in 2024-5 and in 2025-6 £16.8m. UKSC and JCPC fees have not been set with the intention to achieve full cost recovery but with a view to balancing recovery of an element of costs against ensuring that access to justice is not unduly impeded. The income received from the JCPC fees in 2023-4 was £392,000, in 2024-5 was £422,000 and in 2025-6 was £411,000. The proposal to increase fees is intended to address the substantial fall in the real terms value of fees since 2013, and to provide additional income for the Court’s administration to continue to serve Court users. We believe that the proposals to increase JCPC fees are a reasonable measure to achieve a legitimate aim in ensuring the Court continues to have the resources to deliver its important constitutional role for JCPC jurisdictions, and to uphold the rule of law.

Access to justice is a core principle and fees should not prevent access to the JCPC.

We are confident that these proposals set fees at a reasonable level which will not deny access to the JCPC, taking account of the following features of the regime.

JCPC Rule 42 and PD2.29 and PD 8.18 refer to help with fees for those who are unable to pay. This help with fees scheme helps to provide access to the final court of appeal to all those who need it. This is also in the context of appeals in criminal cases not attracting any court fees, except when making a claim for costs. Of the 13 applications for fee remission in the Portal (from 4 December 2024 to 31 December 2025) 11 were granted and two were refused, making an 84.5% grant rate. Since the creation of the portal in December 2024 to 1 April 2026 (just under 16 months), 156 JCPC cases were issued. Of those, 35 were criminal cases. Of the remaining 121 cases, 57 fell within the lowest tier of fees, 20 in the middle tier and 44 in the highest tier.

The table below is the Appendix in the JCPC rules which sets out the current fees:

Appendix

Rule 46: Fees to be taken

Number and description of fee	Amount of Fee Appeal value up to £100,000	Amount of fee Appeal value £100,000 –£500,000	Amount of fee Appeal value over £500,000
1 On filing an application for permission to appeal—	£150	£500	£1000
On filing a notice under rule 17(1) – notice of intention to proceed	£100	£800	£1600
On filing notice of appeal	£100	£800	£1600
2 On filing a notice of objection by a Respondent	£160	£160	£160

On filing an acknowledgement by a Respondent	£160	£160	£160
3 On filing an incidental application	£100	£100	£100
On filing a notice of objection to an incidental application	£70	£70	£70
On filing an application to appeal the Registrar's decision	£100	£100	£100
4 On filing a case	£400	£2500	£5000
5 On request for a copy of a document a) For ten pages or less b) For each subsequent page	£5 50p	£5 50p	£5 50p
6 On filing a request for an assessment of costs	2.5% of the sum claimed + 2.5% of the sum allowed	2.5% of the sum claimed + 2.5% of the sum allowed	2.5% of the sum claimed + 2.5% of the sum allowed
7 On an appeal against a decision made on an assessment of costs	£150	£150	£150
8 Certified documents	£20	£20	£20

Objectives in setting new fees

In setting fees for the JCPC, the court has the following four objectives:

Objective 1

To have a straightforward system for applicants to understand and the JCPC to administer: Those who use the Court should find it easy to comprehend the relevant fees for their cases. This will enable better financial planning and informed decision making. Moreover, the fee structure should be simple for staff to administer, facilitating an efficiently managed system.

Objective 2

To raise income from JCPC users that will contribute towards operating costs: The JCPC should maintain a mixed model of funding. Whilst it should not operate on a full cost recovery basis, it should receive some contribution from those who use the Court where they are able to.

Objective 3

To support the long-term financial stability of the JCPC: The costs of running the JCPC are subject to inflation and will rise over time. The JCPC should be able to address and plan for these changes in the long term.

Objective 4

To ensure fees in the JCPC are not a barrier to accessing justice: Full regard should be given to the principle that access to the courts must not be denied when setting fees. This means that fees should be affordable for litigants and that financial support is available to support individuals with low income.

The fee proposals

The JCPC has three fee proposals to consult on. The following section outlines in detail our proposals to adjust JCPC fees. These proposals seek to deliver on our objectives set out above. Options 1 and 2 are alternatives, and Option 3 is in addition to Option 1 or Option 2.

Option 1

The JCPC proposes to uplift all Court fees by 40%, broadly reflecting the historical inflation rate in the United Kingdom (CPI) since the last fees increase in 2013.

Under this proposal the Court also proposes to increase Court fees on a regular basis going forward, every two years by the UK's increase in CPI figure.

Routine fee reviews and uplifts

The long-term financial stability of the JCPC is crucial for its efficient functioning and sustainability. To ensure this, we propose the principle of periodically reviewing and adjusting fees in line with inflation. This will prevent the value of fees from declining in real terms. We propose a suitable length of time to be every two years. This is in line with UKSC fee increase procedure.

This proposal would benefit the JCPC for three reasons. Firstly, through routinely updating fees to account for inflation, the Court can ensure that fee income continues to contribute towards the administrative and operational costs to the JCPC. Secondly, updating fees more routinely would likely mean that each individual change would be relatively small, which would be easier for litigants to manage. Thirdly, this will improve planning and resource allocation within the JCPC, as well as for legal professionals and litigants who can then better anticipate future fee changes.

Under this proposal fee 6, the fee charged filing a request for an assessment of costs, would be changed to be 4% of the sum *claimed*, all payable up front on filing the application for assessment of costs. This would reflect the fee structure in the UKSC, which was introduced in 2024 following the UKSC fees consultation published in October 2023. This is to stop the loss of income for work completed when cases settle prior to certification.

The fees under this proposal would be:

Number and description of fee	Amount of Fee	Amount of fee	Amount of fee
	Appeal value up to £100,000	Appeal value £100,000 – £500,000	Appeal value over £500,000
1 On filing an application for permission to appeal—	£210	£700	£1400
On filing a notice under rule 17(1) – notice of intention to proceed	£140	£1120	£2240
On filing notice of appeal	£140	£1120	£2240
2 On filing a notice of objection by a Respondent	£224	£224	£224
On filing an acknowledgement by a Respondent	£224	£224	£224
3 On filing an incidental application	£140	£140	£140
On filing a notice of objection to an incidental application	£98	£98	£98

On filing an application to appeal the Registrar's decision	£140	£140	£140
4 On filing a case	£560	£3500	£7000
5 On request for a copy of a document	NO CHANGE	NO CHANGE	NO CHANGE
c) For ten pages or fewer	£5	£5	£5
d) For each subsequent page	50p	50p	50p
6 On filing a request for an assessment of costs	4% of the sum claimed	4% of the sum claimed	4% of the sum claimed
7 On an appeal against a decision made on an assessment of costs	£210	£210	£210
8 Certified documents	£25	£25	£25
Every fee to increase every two years onwards by a sum representing two years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI

Option 2

The JCPC proposes to uplift all Court fees by 40% but phase the increase over a number of years for the middle and lower bands. This would seek to mitigate the impact felt by Court users. Under this proposal the Court also proposes to increase Court fees on a regular basis going forward, every two years by the UK's CPI figure. This would remove the need for further large increases in one go. This would mean as follows:

Year 0: The highest fee tier would be uplifted by 40%. The middle tier would increase by 30%. The lowest tier would be uplifted by 20%.

Year 2: The highest fee tier would be uplifted by a sum reflecting two years' increase in CPI. The middle tier would increase to what would have been a 40% increase of the original fee plus a sum reflecting two years CPI. The lowest tier would be uplifted to what would have been a 30% increase of the original fee plus a sum reflecting two years CPI.

Year 4: The highest fee tier would be uplifted by a sum reflecting two years' increase in CPI. The middle tier would be uplifted by a sum reflecting two years' increase in CPI. The lowest tier would be uplifted to what would have been a 40% increase of the original fee plus a sum reflecting four years CPI.

Year 6 and every two years onwards: Every fee to increase every two years onwards by a sum representing two years' increase in CPI.

Routine fee reviews and uplifts

The long-term financial stability of the JCPC is crucial for its efficient functioning and sustainability. To ensure this, we propose the principle of periodically reviewing and adjusting fees in line with inflation. This will prevent the value of fees from declining in real terms. We propose a suitable length of time to be every two years. This is in line with UKSC fee increase procedure, where the fees were increased by 40% in 2024 and again by 5.9% in 2026.

This proposal would benefit the JCPC for three reasons. Firstly, through routinely updating fees to account for inflation, the Court can ensure that fee income continues to contribute towards the administrative and operational costs to the JCPC. Secondly, updating fees more routinely would likely mean that each individual change would be relatively small, which would be easier for litigants to manage. Thirdly, this will

improve planning and resource allocation within the JCPC, as well as for legal professionals and litigants who can then better anticipate future fee changes.

Under this proposal fee 6, the fee charged filing a request for an assessment of costs, would be changed to be 4% of the sum *claimed*, all payable up front on filing the application for assessment of costs. This would reflect the fee structure in the UKSC, which was introduced in 2024 following the UKSC fees consultation published in October 2023. This is to stop the loss of income for work completed when cases settle prior to certification.

Under this proposal fee 6, the fee charged filing a request for an assessment of costs, would be changed to be 4% of the sum *claimed*, all payable up front on filing the application for assessment of costs. This would reflect the fee structure in the UKSC, which was introduced in 2024 following the UKSC fees consultation published in October 2023. This is to stop the loss of income for work completed when cases settle prior to certification.

The fees under this proposal would be:

Number and description of fee	Amount of Fee Appeal value up to £100,000	Amount of fee Appeal value £100,000 –£500,000	Amount of fee Appeal value over £500,000
1 On filing an application for permission to appeal— Year 0	£180	£650	£1400
Year 2	£195 +2 years' increase in CPI	700 +2 years' increase in CPI	+2 years' increase in CPI
Year 4	£210 +4 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI
Year 6	+2 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI

On filing a notice under rule 17(1) – notice of intention to proceed Year 0	£120	£1040	£2240
Year 2	£130 +2 years' increase in CPI	£1120 +2 years' increase in CPI	+2 years' increase in CPI
Year 4	£140 +4 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI
Year 6	+2 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI
On filing a notice of appeal Year 0	£120	£1040	£2240
Year 2	£130 +2 years' increase in CPI	£1120 +2 years' increase in CPI	+2 years' increase in CPI
Year 4	£140 +4 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI
Year 6	+2 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI
2 On filing a notice of objection by a Respondent Year 0	£192	£208	£224

Year 2	£208 +2 years' increase in CPI	£224 +2 years' increase in CPI	+2 years' increase in CPI
Year 4	£224 +4 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI
Year 6	+2 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI
On filing an acknowledgement by a Respondent Year 0	£192	£208	£224
Year 2	£208 +2 years' increase in CPI	£224 +2 years' increase in CPI	+2 years' increase in CPI
Year 4	£224 +4 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI
Year 6	+2 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI
3 On filing an incidental application Year 0	£120	£130	£140
Year 2	£130 +2 years' increase in CPI	£140 +2 years' increase in CPI	+2 years' increase in CPI
Year 4	£140 +4 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI

Year 6	+2 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI
On filing a notice of objection to an incidental application Fee increase 1	£84	£91	£98
Fee increase 2	£91 +2 years' increase in CPI	£98 +2 years' increase in CPI	+2 years' increase in CPI
Fee increase 3	£98 + 4 years' CPI	+2 years' increase in CPI	+2 years' increase in CPI
Year 6	+2 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI
On filing an application to appeal the Registrar's decision Year 0	£120	£130	£140
Year 2	£130	+2 years' increase in CPI	+2 years' increase in CPI
Year 4	£140	+2 years' increase in CPI	+2 years' increase in CPI
Year 6	+2 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI
4 On filing a case	£480	£3250	£7000

Year 0			
Year 2	£520 +2 years' increase in CPI	£3500 +2 years' increase in CPI	+2 years' increase in CPI
Year 4	£560 +4 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI
Year 6	+2 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI
5 On request for a copy of a document	NO CHANGE	NO CHANGE	NO CHANGE
1. For ten pages or fewer	£5	£5	£5
2. For each subsequent page	50p	50p	50p
6 On filing a request for an assessment of costs	4% of the sum claimed	4% of the sum claimed	4% of the sum claimed
7 On an appeal against a decision made on an assessment of costs	£180	195	£210
Year 0			
Year 2	195 +2 years' increase in CPI	£210 +2 years' increase in CPI	+2 years' increase in CPI
Year 4	+2 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI

Year 6	+2 years' increase in CPI	+2 years' increase in CPI	+2 years' increase in CPI
8 Certified documents	NO CHANGE £25	NO CHANGE £25	NO CHANGE £25

Options one and two are alternative proposals.

Option 3

Option three is a further fee proposal to be included **in addition to** option one or two.

To introduce a new fee structure to ensure that the JCPC can charge fees for referrals made to the Court by HM The King under JCPC Rule 59, and s4 of the Judicial Committee Act 1833. The Court proposes to align the JCPC reference fees with the reference fees charged in the UKSC This is a straightforward and well understood regime which is an appropriate model for referrals made by HM The King to resolve disputes. Provision needs to be made for court fees if the JCPC has to receive evidence and perform the functions of a trial court. The JCPC has power under its Rules to modify the fees regime if required, having regard to the circumstances of any case.

This fee structure mirrors the fees charged in the UKSC for references. A reference can be a complex case that requires substantial input from Justices of the JCPC, including from an early stage. This fee structure allows the JCPC to recover fees which would reflect that work. Under this structure, there would be no payment required for the filing of a written case by any party. The proposal also allows for the Justices of the JCPC to order a daily rate to be charged for a hearing when they consider that a lengthy hearing is required to consider the question in the reference. This may be in a situation where, for example, it is necessary for the Court to take evidence and hear from witnesses. The sum of £1000 has been proposed and has been capped at £1000, which is the maximum fee that can be charged under the Civil Proceedings Fees Order 2008, as amended.

For the avoidance of doubt, it is envisaged that the applicant (or petitioning body) will be the 'applicant' in the reference process at the JCPC and will therefore be paying the fee at 1R. The relevant law officer is likely to be the Respondent to the reference.

Routine fee reviews and uplifts

The long-term financial stability of the JCPC is crucial for its efficient functioning and sustainability. To ensure this, we propose the principle of periodically reviewing and adjusting fees in line with inflation. This will prevent the value of fees from declining in real terms. We propose a suitable length of time to be every two years. This is in line with UKSC fee increase procedure, where the fees were increased by 40% in 2024 and again by 5.9% in 2026.

This proposal would benefit the JCPC for three reasons. Firstly, through routinely updating fees to account for inflation, the Court can ensure that fee income continues to contribute towards the administrative and operational costs to the JCPC. Secondly, updating fees more routinely would likely mean that each individual change would be relatively small, which would be easier for litigants to manage. Thirdly, this will improve planning and resource allocation within the JCPC, as well as for legal professionals and litigants who can then better anticipate future fee changes.

The fees would be as follows:

Number and description of fee	Amount of Fee
1R On filing a reference	£7,425
2R On filing an acknowledgement by a Respondent	£470
3R On filing an incidental application (including an extension of time, and an appeal of a decision made on assessment of costs)	£510

4R On filing a notice of objection to an incidental application	£215
5R On filing an application to appeal the Registrar's decision in a Reference	£2215
6R On filing an application for permission to intervene in a reference	£1,180
7R On filing a written case	£0 NO FEE
8R Additional fee for hearing, if so ordered by a Justice of the JCPC	£1000 per day up to a maximum of £10,000
9R On submitting a claim for costs	4% of the sum claimed
10R On request for a copy of a document a) For ten pages or less b) For each subsequent page	£5 50p
11R Certified documents	£25
Every fee to increase every two years onwards by a sum representing two years' increase in CPI	+2 years' increase in CPI

Impact of the proposed reforms

Consideration has been given to the impact of the proposed reforms to the JCPC fees on individuals, from an equality perspective. We assess that the proposed reforms to the JCPC fees will not create a disproportionate or adverse impact, as the fees will continue to apply in the same way to all JCPC litigants. We do not hold and cannot easily access data from all the JCPC jurisdictions to make a detailed assessment of litigants.

However, a review of internal JCPC case data covering an 18-month period suggests that the proposed fee increases are unlikely to disproportionately affect individual appellants, as the majority either bring criminal appeals, which do not attract a fee, or civil claims falling within the lowest fee band (claims valued at up to £100,000), where the applicable fees remain comparatively low. For example, the current fee for filing a notice of appeal in claims under £100,000 is £100; under Option 1, this would increase by £40.

The data demonstrates that only 10% of parties were individuals bringing claims within the higher-value fee bands. Among individual appellants, 26% related to criminal matters that do not attract a fee, while 42% concerned civil claims valued at under £100,000. A smaller proportion of individual claims fell within the higher-value bands, with 12% valued between £100,000 and £500,000 and 20% valued at over £500,000.

The analysis found that 26% of appellants were organisations. Of these, 13% were public bodies or government departments, with the majority comprising private sector organisations.

Overall, we consider that the uplift to fees will be unlikely to cause a particular disadvantage through an inability to pay. The JCPC offers a help with fee scheme, together with a discretion to remit fees. 95% of individual appellants bringing cases to the JCPC did not apply for fee remission and privately funded their own fees, indicating that the fees did not represent a significant financial barrier for the majority of appellants. Only 5% of individual appellants applied for a fee remission, either partially or in full, with a grant rate of 87% for help with fees applications. Individuals with low income or little savings will continue to be supported through the JCPC fee remission scheme.

These proposed changes constitute a proportionate means of achieving the legitimate aim of ensuring that the JCPC is adequately resourced through contributions from both litigants and the UK taxpayer. Furthermore, the JCPC's fee remission scheme ensures that access to justice is maintained for those who are on a low income. The proposals are therefore not considered to impact disproportionately on litigants with low or no income or more generally create a disproportionate or adverse impact on individual litigants.

Questionnaire

We would welcome responses to any of the following questions set out in this consultation paper.

1. Do you agree that we should seek to increase the value of JCPC fees by inflation to support the operation of the JCPC? Please give reasons for your answer.
2. Do you agree with the principle that JCPC fees should be adjusted by inflation on a routine basis to support the long-term financial stability of the JCPC? Please give reasons for your answer. or
3. Do you agree the banding proposed allows reasonable access to justice across the range of cases? Please give reasons for your answer.
4. Do you have a preference for fee proposal 1 or 2? Please give reasons for your answer.
5. Do you agree that the introduction of a fee structure to charge fees for references (proposal 3) is fair to reflect the cost to the JCPC for the work undertaken in deciding the reference? Please give reasons for your answer.
6. Our assessment, subject to the responses to this consultation, is that the proposed fee increases under the banded structure which is set out in this document, and taking account of the power to grant exemption from fees in individual cases, will not impact disproportionately on litigants with low or no income or more generally create a disproportionate or adverse impact on individual litigants. Do you agree? Please give reasons for your answer.
7. Do you have any further comments on the fee proposals?

Thank you for participating in this consultation exercise.

Should you choose to respond to the consultation please include the following information.

Full name:
Job title or capacity in which you are responding to this consultation exercise (e.g. member of the public etc.):
Company name/organisation (if applicable):
Jurisdiction:
If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent:
The number of the question(s) you are responding to:

Complaints or comments

If you have any complaints or comments about the consultation process you should contact the JCPC by emailing jcpcfeesconsultation@jcpc.uk or by writing to Registrar, JCPC fees consultation, The Judicial Committee of the Privy Council, Parliament Square, London, SW1P 3BD.

Extra copies

Further copies of this consultation can be downloaded at <https://www.jcpc.uk/appeal-process/jcpc-fees-consultation>

Alternative format versions of this publication can be requested from jcpcfeesconsultation@jcpc.uk

Publication of response

A paper summarising the responses to this consultation will be published following the consultation period. The response paper will be available online at <https://www.jcpc.uk/appeal-process/jcpc-fees-consultation>

Confidentiality

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), the General Data Protection Regulation (GDPR) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the JCPC.

The JCPC will process your personal data in accordance with the DPA and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

Thank you for participating in this consultation exercise.